

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. \_\_\_\_\_

v. : DATE FILED \_\_\_\_\_

ANDRE RUSSELL : VIOLATIONS: 21 U.S.C. §§ 841(a)(1) & 841(b)(1)(B)  
(Possession with intent to distribute cocaine  
base ("crack") - 1 count)

: 21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C) (Possession  
with intent to distribute cocaine - 1 count)

: 18 U.S.C. § 924(c)(1) (Possession of firearms in  
furtherance of a drug trafficking crime - 1  
count)

: 18 U.S.C. § 922(g)(1) (Felon in possession of firearms  
and ammunition - 1 count)

: Notice of prior conviction

: Notice of forfeiture

\_\_\_\_\_  
INDICTMENT

\_\_\_\_\_  
COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about March 19, 2003, at Philadelphia, in the Eastern District of Pennsylvania,  
defendant

ANDRE RUSSELL

knowingly and intentionally possessed with intent to distribute more than five grams, that is,  
approximately 10.97 grams, of a mixture or substance containing a detectable amount of cocaine  
base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 19, 2003, at Philadelphia, in the Eastern District of Pennsylvania,  
defendant

ANDRE RUSSELL

knowingly and intentionally possessed with intent to distribute a mixture or substance containing a  
detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 19, 2003, in the Eastern District of Pennsylvania, defendant

ANDRE RUSSELL

knowingly possessed a firearm, that is, a Hi-Point .380 caliber semiautomatic handgun, Model CP, serial number P738966, loaded with 8 live rounds of ammunition, and a Poly Tech 7.62X39 mm caliber semiautomatic assault weapon, Model AKS-762SP, serial number obliterated, loaded with 28 live rounds of ammunition, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute cocaine base ("crack") and possession with intent to distribute cocaine, in violation of Title 21, United States Code, Section 841(a)(1), as charged in Counts One and Two of this indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i) and (B)(i).

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COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 19, 2003, at Philadelphia, in the Eastern District of Pennsylvania,  
defendant

ANDRE RUSSELL,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm and ammunition, that is, a Hi-Point .380 caliber semiautomatic handgun, Model CP, serial number P738966, loaded with 8 live rounds of ammunition; a Poly Tech, 7.6X39 mm semiautomatic assault weapon, Model AKS-762SP, serial number obliterated, loaded with 28 live rounds of ammunition; and 2 boxes of Remington UMC ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

### NOTICE OF PRIOR CONVICTION

Defendant ANDRE RUSSELL committed the offenses charged in Counts One and Two of this Indictment after the following felony drug offense conviction in a court of the Commonwealth of Pennsylvania had become final:

1. Possession with intent to deliver a controlled substance: C.P. Phila. Cty. 8908-2809.

NOTICE OF FORFEITURE (18 U.S.C. § 924(d))

As a result of the violation of Title 18, United States Code, Sections 924(c)(1) and 922(g)(1), set forth in Counts Three and Four of this indictment, respectively, the defendant

ANDRE RUSSELL

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of these offenses, including, but not limited to:

One Hi-Point .380 caliber semiautomatic handgun, Model CP, serial number P738966, and 8 live rounds of ammunition; one Poly Tech, Model AKS-762SP, 7.6X39 mm semiautomatic assault weapon, serial number obliterated, and 28 live rounds of ammunition; and two boxes of Remington UMC ammunition.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

\_\_\_\_\_ A True Bill:

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\_\_\_\_\_ GRAND JURY FOREPERSON

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PATRICK L. MEEHAN  
UNITED STATES ATTORNEY \_\_\_\_\_